IN THE HIGH COURT OF UTTARANCHAL AT NAINITAL

ORIGINAL JURISDICTION

Dated: Nainital: the 18th day of February 2003

Bail Application no. 145 of 2003

Order on the bail application of accused.

CRIMINAL SIDE

Devendra Singh …… Applicant

Versus

State of Uttaranchal. ……. Opposite Party.

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Arising out of case crime no. 1 of 2002
Under sections : 302,I.P.C.
Patti: Kharkdoli
District: Pithoragarh

By the Court

Hon'A.A. Desai, C. J.

Heard Sri G.B Pande, Learned counsel for the applicant and the learned A.G.A.

Prima facie, it appears that this applicant is implicated on the statement of co-accused Santosh Kumar, who has stated that the applicant has caused death of Prakash Gurung by fire-arm and also tried to commit suicide.

Undisputedly, according to learned A.G.A., the applicant received five injuries with his own gun. At this stage, the story does not appear to the probable. Other accused are released on bail. The incident as per prosecution case arose due to petty dispute of some treat from the deceased, who was a military personnel.

Having regard to the nature of incident and the claim of the prosecution, I direct that the applicant a Devendra Singh Kunwar be released on bail on his furnishing a personal bond with two sureties each in the like amount to the satisfaction of the Chief Judicial Magistrate, Pithoragarh.

(A.A. Desai, C.J.)

18.02.2003.
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